IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

MARY E. MARTINEZ,

       Plaintiff,

       v.   No. 25cv600 JFR/SCY

ABQ CODE ENFORCEMENT, ANGELO
MATZER, RAY VELARDEZ, and WILLIAM
(JOSH) GALLEGOS,

       Defendants.

<u>ORDER EXTENDING TIME</u>

On July 2, 2025, the Court entered an order outlining the deficiencies in the notice of removal as it pertains to allegations of federal question jurisdiction. Doc. 7. The Court permitted Plaintiff to file, no later than July 23, an amended complaint clarifying whether the case is brought under federal or state law and required Defendants to show cause as to federal jurisdiction by August 13. *Id.* On July 21, Plaintiff telephoned and emailed chambers requesting an extension without specifying the length of extension requested. Plaintiff represented that she is having trouble with her mail. Defendant does not oppose a reasonable extension of time. *See* Exhibit 1 (email chain).

With respect to Plaintiff's telephonic request, the Court advises Plaintiff that:

Generally, *pro se* litigants are held to the same standards of professional responsibility as trained attorneys. It is a *pro se* litigant's responsibility to become familiar with and to comply with the *Federal Rules of Civil Procedure* and the *Local Rules of the United States District Court for the District of New Mexico* (the "Local Rules").

Guide for Pro Se Litigants at 4, United States District Court, District of New Mexico (November 2019). The Local Rules, the Guide for Pro Se Litigants, and a link to the Federal Rules of Civil Procedure are available on the Court's website: http://www.nmd.uscourts.gov.

>Attorneys and *pro se* parties are prohibited from all *ex parte* communication with the judge or judge's staff. *Ex parte* communication occurs when one of the parties to a lawsuit exchanges information with the assigned judge (1) without the opposing party being present, or (2) without the knowledge and consent of the opposing party.

>Any communication between the assigned judge and a *pro se* litigant should be in writing, and a copy of the communication should be sent to the opposing party or, if represented, to that party's attorney. The letter to the judge should indicate that a copy has been sent to the opposing party. Telephone or personal contact with the judge's staff should be limited to specific scheduling inquiries.

Guide for Pro Se Litigants at 11-12.

>Further,

>Unless otherwise directed, all communication to the court should be addressed to the Clerk of Court, United States District Court, District of New Mexico, using the address for the division [Albuquerque, Las Cruces or Santa Fe] where the subject case has been assigned.

Guide for Pro Se Litigants at 5 (providing the Albuquerque, Las Cruces and Santa Fe addresses).

In other words, the Court does not accept documents for filing via email. Plaintiff may file documents by: (i) filing a motion for permission to use the Case Management/Electronic Case Files ("CM/ECF") electronic filing system; (ii) delivering the documents to the Clerk's Office; or (iii) mailing the documents to the Clerk's Office at the following address:

>Pete V. Domenici United States Courthouse
>333 Lomas Blvd. NW, Suite 270
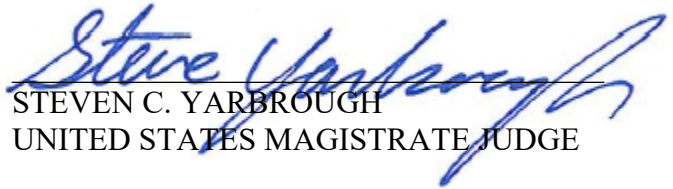>Albuquerque, NM 87102

>The Court will make a one-time exception for Plaintiff's present extension request.

However, the Court hereby advises Plaintiff that the Court will not accept further requests via *ex parte* telephone calls, or via emails to chambers. Finally, if Plaintiff is having difficulty receiving filings by mail, she may submit the Pro Se Notification Form and elect to receive notices by email. *See* https://www.nmd.uscourts.gov/forms/pro-se-notification-form. Out of an abundance

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of caution, the Court also directs that the Clerk's Office shall serve this Order on Plaintiff's email at maryota@yahoo.com.

Plaintiff's deadline to optionally file an amended complaint is extended through August 22, 2025. Defendant's deadline to respond to the show cause order is extended through September 12, 2025.

SO ORDERED.

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STEVEN C. YARBROUGH
UNITED STATES MAGISTRATE JUDGE